## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:	:	19-M	ay-08	APPL. S. N:	10643752			
To Exami	ner:	Mumi	nert, Stephanie	Art Unit	1637			
From			s, Della EGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	REMSEN			
SUBJECT	: Decisio	on on Terminal Disclai	mer(T.D.) filed:					
form para or have a	igraphs i ny quest	dentified by this infor ions, please see me o	mal memo in your next or the Special Program I	Office action to notify applicar Examiner. THIS IS AN INFORM				
olease ini	tial, date	and return this mem	o to me. THANK YOU.					
v	The T.D.	is PROPER and has b	een recorded (see 14.2	3).				
	The T.D.	is NOT PROPER and	has not been accepted t	for the reason(s) checked belo	w (see 14.24):			
		The TD fee of use of a deposit acco		ted nor is there any authorizat	ion in the application file for the			
		T.D. has not stated the extent of presented by the signature)						
	Π.		nforceable only during o		eded to overcome a non-statutory			
	<u></u>			lar claim(s), which is not acceptable since "the disclaimer must be for a terminal patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).				
		The person who sign	ed the T.D.:					
		is not an at	torney "of record" (see	14.29 and 14.29.01).				
	•	has failed t	o state his/her capacity	to sign for the business entity	(see 14.28).			
		is not recog	nized as an officer of t	he assignee (see 14.29 & poss	ible 14.29.02).			
		nor is the reel and fr (see 37 CFR 3.73(b)	ame number specified a and 1140 O.G. 72). NO	f a chain of title from the original inventor(s) to assignee has been submitted, imber specified as to where such evidence is recorded in the Office 40 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and d in the T.D. or in a separate paper of record in the application (see 14.30).				
	厂	The T.D. is not signe	d (see 14.26 & 14.26.0	3).				
	<u>「</u>		the application (or the missing or incorrect (s	number of the patent) which f see 14.32).	forms the basis for the double			
				number of the patent in reexe 5, 14.27.02 or 14.26.05).	am or reissue cases being			
		The period disclaime	d is incorrect or not spe	ecified (see 14.26, 14.27.02 or	14.26.03).			
		Other:			X			
		Suggestion to requestand do not check thi		IOTE: If already authorized, cr	edit refund to deposit account			
have ap	propriate	ly notified applicant(s	s) of the status of the T	erminal Disclaimer filed in this	case.			
Ex.Initials	:	Date:			Log Date:			

Application Number	10/643,752	Applicant(s)/Patent under Reexamination LIU ET AL.		under					
Document Code - DISQ	Internal Dod		ocument – DO	cument - DO NOT MAIL					
TERMINAL DISCLAIMER			☐ DISAPP	☐ DISAPPROVED					
Date Filed : February 27, 2008	This patent is subject to a Terminal Disclaimer								
Approved/Disapproved by:									
Henry D. Jefferson									
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U.S. Patent and Trademark Office

Attorney's Docket No.: LS5-001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Liu et al.

**ART UNIT:** 

1637

**SERIAL NO.:** 

10/643,752

**EXAMINER:** 

S. K. Mummert

FILED:

August 19, 2003

**CONFIRMATION NO.: 4082** 

TITLE:

EVOLVING NEW MOLECULAR FUNCTION

## Terminal Disclaimer

I, Anne I. Craig, with a business address of Harvard University, Holyoke Center, 1350 Massachusetts Avenue, Cambridge, MA 02138-3834, state that I am a representative authorized to sign on behalf of President and Fellows of Harvard College, identified below as the assignee of the entire right, title and interest in and to the above-identified patent application, U.S. Patent Application Serial No. 10/643,752. I have reviewed all the evidentiary documents accompanying or referred to in the instant Terminal Disclaimer and certify that, to the best of my knowledge and belief, title to the above-identified application is in the name of President and Fellows of Harvard College.

President and Fellows of Harvard College, of 17 Quincy Street, Cambridge, Massachusetts, 02138, is the assignee of the entire right, title and interest in and to the above-identified application, U.S. Patent Application Serial No. 10/643,752, by virtue of an assignment from the inventors to President and Fellows of Harvard College that was recorded in the United States Patent and Trademark Office at Reel 014717, Frame 0156, on November 21, 2003.

President and Fellows of Harvard College hereby waives and disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the full statutory term of U.S. Patent Nos. 7,070,928 and 7,223,545, and hereby agrees that any patent so granted on U.S. Patent Application Serial No. 10/643,752 shall be enforceable only for and during such period that the patent is commonly owned with U.S. Patent Nos. 7,070,928 and 7,223,545. This agreement runs with any patent granted on the instant application and is binding upon the Assignee, its successors or assigns.

President and Fellows of Harvard College does not disclaim any terminal part of the term of any patent granted on the instant application prior to the expiration date of the full statutory term of the later to expire of U.S. Patent Nos. 7,070,928 and 7,223,545, in the event that any said patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a re-examination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made nerein or my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made in the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

ASSIGNEE: President and Fellows of Harvard College

Bv:

Name: Anne I. Craig

Title: Director of Intellectual Property

Date: 2/27/08